

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF MARTIN COUNTY	)	
WATER DISTRICT FOR ALTERNATIVE	)	CASE NO.
RATE ADJUSTMENT	)	2018-00017

ORDER

On March 6, 2018, Martin County Concerned Citizens, Inc. (“MCCC”), submitted requests for information to Martin County Water District (“Martin District”) pursuant to 807 KAR 5:001 Section 4(12). On March 12, 2018, Martin District filed with the Commission a motion requesting that the Commission issue a protective order preventing Martin District from having to respond to requests for information from MCCC. As grounds for its motion, Martin District states: 1) the Order of the Commission permitting intervention did not provide that MCCC was permitted to request such information; and 2) responding to MCCC's requests increases Martin District's financial and administrative burden in this proceeding. On March 16, 2018, MCCC filed its response to Martin District's March 12, 2018 motion.

Pursuant to 807 KAR 5:001, Section 4(12)(a), which states in pertinent part: “[i]f permitted by administrative regulation or by order of the commission, a party may in accordance with this section request information from another party to the case. The requesting party shall serve its request upon the party from which it seeks the requested information and shall also file its request with the commission.” No Commission Order in this proceeding established a deadline for requests for information in this case. Pursuant

to 807 KAR 5:076 Section 10(1)(a), “[a] party in the proceeding may serve written requests for information upon the applicant within twenty-one (21) days of an order permitting that party to intervene in the proceeding.” The necessity, function and conformity of 807 KAR 5:076 explains that alternative rate filings under this regulation are intended to be “simplified and less expensive” for small utilities. MCCC was granted intervention by order of the Commission on February 2, 2018. The time established by regulation expired prior to MCCC filing its requests for information.

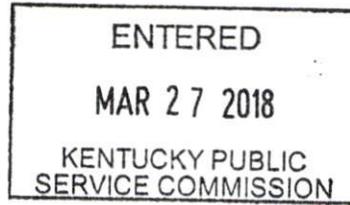
Based upon the foregoing we find that Martin District’s motion for a protective order should be granted.

IT IS HEREBY ORDERED that:

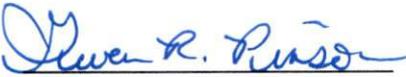
1. Martin District’s Motion for Protective Order is granted.
2. Martin District shall not be required to respond to the requests for information submitted by MCCC on March 6, 2018.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

By the Commission



ATTEST:

  
Executive Director

\*Brian Cumbo  
Attorney at Law  
P.O. Box 1844  
Inez, KENTUCKY 41224

\*Joe Hammond  
Manager  
Martin County Water District  
387 East Main Street, Suite 140  
Inez, KY 41224

\*Martin County Water District  
387 East Main Street, Suite 140  
Inez, KY 41224

\*Mary Cromer  
Appalachian Citizens' Law Center, Inc.  
317 Main Street  
Whitesburg, KENTUCKY 41858

\*M. Todd Osterloh  
Sturgill, Turner, Barker & Moloney, PLLC  
333 West Vine Street  
Suite 1400  
Lexington, KENTUCKY 40507